



State of Utah

Department of
Natural Resources

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Division of
Oil, Gas & Mining

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April 29, 2004

Mr. Grant Richins
P. O. Box 55
Henefer, Utah 84033

Subject: Explanation of Permitting Requirements for Sand and Gravel
Operations, Grant Richins, Unpermitted Operation; Summit County, Utah

Dear Mr. Richins:

Thank you for calling to inquire about the permitting requirements for sand and gravel operations. The rules promulgated under the Mined Land Reclamation Act exclude the mining of alluvial sand and gravel deposits from regulation by the Division of Oil, Gas and Mining. Under rule R647-1-106, the definition of "mining operation" states:

"Mining operation" does not include: the extraction of sand, gravel, and rock aggregate . . .

The definitions of "sand," "gravel," and "rock aggregate" are:

"Sand" means a naturally occurring unconsolidated to moderately consolidated accumulation of rock and mineral particles, the dominant size range being between 1/16mm to 2mm, which has been deposited by sedimentary processes.

"Gravel" means a naturally occurring unconsolidated to moderately consolidated accumulation of rock and mineral particles, the dominant size range being between 2mm and 10mm, which has been deposited by sedimentary processes.

"Rock Aggregate" means those consolidated rock materials associated with a sand deposit, a gravel deposit, or a sand and gravel deposit, that were created by alluvial sedimentary processes.

In essence, if you are mining unconsolidated sedimentary deposits of sand, gravel, and rock aggregate, you are exempted from regulation by the Division of

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Oil, Gas and Mining. If, however, you mine consolidated bedrock, even if you are mining unconsolidated materials with the bedrock, you would need to file a Notice of Intention to Commence Mining Operations together with a permit fee and a reclamation bond.

Thank you again for your inquiry. If you have further questions, don't hesitate to call me at 801-538-5261.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. B. Baker', with a stylized, cursive script.

Paul B. Baker, Reclamation Biologist
Minerals Regulatory Program
Utah Division of Oil, Gas and Mining